

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/779,398	HENSLEY, JAMES C. <span style="float: right;">sf</span>	
	Examiner	Art Unit	
	Avraham Lerner	3611	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☒ The drawings filed on 13 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>0404</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                           | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

***Information Disclosure Statement***

1. The Information Disclosure Statement, filed April 30, 2004, is acknowledged and has been considered.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows, to provide proper antecedent basis to each element of the claims:

in line 30 of claim 1, "the converging links" has been changed to "converging links";  
in line 31 of claim 1, "converging links" has been changed to "the converging links";  
in line 67 of claim 13, "the converging links" has been changed to "converging links";  
in line 75 of claim 13, "converging links" has been changed to "the converging links";  
in line 30 of claim 15, "the converging links" has been changed to "converging links";  
in line 31 of claim 15, "converging links" has been changed to "the converging links";

***Allowable Subject Matter***

3. Claims 1-15 are allowed.
4. The following is an examiner's statement of reasons for allowance: the prior art neither anticipates nor makes obvious a hitch assembly having all elements as claimed, including a tail

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support assembly attached to a trailer frame and coupled with a tail tube as claimed, a slide assembly residing within a ball mount assembly, and specifically having converging links pivotally connected between a hitch box at a first pivot point as recited and the slide assembly whereby the angular position between the first pivot point and the slide assembly can be varied. The above recitation, combined with the rest of the structure in the independent claim, clearly defines over the art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lemaitre (FR Patent No. 2,696,130), Robertson (U.S. Patent No. 5,306,037), Prestidge et al. (WIPO Patent No. 94/08804), Melesko et al. (U.S. Patent Application Publication No. 2001/0033068), Hsueh et al. (U.S. Patent No. 6,485,046), Schmidt et al. (U.S. Patent Application Publication No. 2002/0190498), Caron (DE Patent No. 3301460), Rendessy (U.S. Patent No. 3,393,923), Crochet, Sr. (U.S. Patent No. 3,981,517), and Demarest (U.S. Patent No. 2,871,029) disclose hitch assemblies having hitch boxes and/or pivotal strut assemblies for transferring pulling and stopping forces to and from a tow vehicle.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avraham Lerner whose telephone number is (703) 308-0423. The examiner can normally be reached on M-F (8:15-5:45) first Wednesday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (703) 308-0629. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**AVRAHAM LERNER**  
**PRIMARY EXAMINER**

*A. Lerner* 9/20/04

September 20, 2004